Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/797,144	KANEKO ET AL.	
Examiner	Art Unit	
Jeffrey C. Mullis	1796	

		Centrey C. Ivianie	1700	
The MAILIN	G DATE of this communication appe	ears on the cover sheet with the o	correspondence add	ress
THE REPLY FILED 09 J	luly 2009 FAILS TO PLACE THIS APPI	LICATION IN CONDITION FOR AL	LOWANCE.	
application, applica application in cond for Continued Exar	after a final rejection, but prior to or on ant must timely file one of the following lition for allowance; (2) a Notice of Appe mination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request
periods:	eply expiresmonths from the mailing	a data of the final rejection		
	eply expiresmonths from the mailing eply expires on: (1) the mailing date of this A		in the final rejection, which	chever is later. In
no event, howev Examiner Note:	ver, will the statutory period for reply expire la If box 1 is checked, check either box (a) or (ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejectio	n.
Extensions of time may be of have been filed is the date funder 37 CFR 1.17(a) is call set forth in (b) above, if chemay reduce any earned patents.	HE FINAL REJECTION. See MPEP 706.07(obtained under 37 CFR 1.136(a). The date for purposes of determining the period of ext lculated from: (1) the expiration date of the s cked. Any reply received by the Office later ent term adjustment. See 37 CFR 1.704(b).	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origitation three months after the mailing dat	of the fee. The appropria nally set in the final Offic	te extension fee e action; or (2) as
NOTICE OF APPEAL		W 05 05D 44 05	eu i talit a	
filing the Notice of	eal was filed on A brief in comp Appeal (37 CFR 41.37(a)), or any exter as been filed, any reply must be filed w	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
3. The proposed am-	endment(s) filed after a final rejection, b	but prior to the date of filing a brief,	will not be entered be	cause
(a) 🔯 They raise no	ew issues that would require further cor	nsideration and/or search (see NO		
` '	ne issue of new matter (see NOTE belo	•		
appeal; and/				ne issues for
· · — · ·	t additional claims without canceling a d			
	PLICANTS COMBINATION OF LIMITA			LAIM AND
	<u>HEREFORE REQUIRE FURTHER COM</u> are not in compliance with 37 CFR 1.12			OTOL 324)
	nas overcome the following rejection(s):		Impliant Amendment (1	1 OL-324).
	or amended claim(s) would be all	· · · · · · · · · · · · · · · · · · ·	timely filed amendmen	t canceling the
non-allowable clair	• / ——	iowabie ii subiiiittea iii a separate, i	annery med annenamer	it carroening the
7. For purposes of aphow the new or am	opeal, the proposed amendment(s): a) I nended claims would be rejected is providam(s) is (or will be) as follows:	☑ will not be entered, or b) ☐ wil vided below or appended.	l be entered and an ex	xplanation of
Claim(s) objected t				
	<u>see FINAL rejection</u> . n from consideration:			
AFFIDAVIT OR OTHER				
8. The affidavit or oth because applicant	per evidence filed after a final action, bu failed to provide a showing of good and sented. See 37 CFR 1.116(e).			
entered because th	er evidence filed after the date of filing ne affidavit or other evidence failed to on nd sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea	al and/or appellant fails	to provide a
	ther evidence is entered. An explanation	n of the status of the claims after er	ntry is below or attache	ed.
	NSIDERATION/OTHER econsideration has been considered bu	t does NOT place the application in	condition for allowand	ce because:
see attahment.	d Information <i>Disclosure Statement</i> (s). ((PTO/SB/08) Paper No(s)		
13. Other:	Timormation Disclosure Statement(s).	(1 10/0B/00) 1 aper 140(3).		
		/Jeffrey C. Mullis/		
		Primary Examiner, Art U	Init 1796	